

**PART II**  
**General Permit Conditions**  
**For Direct Stationary Sources**

**A. Scope.**

This permit is valid only for the structure, building, facility, equipment or operation specifically identified herein. All emissions authorized hereby shall be in compliance with the terms and conditions of Parts I and II of this permit. [s. 285.60(7), Wis. Stats.]

**B. Emissions Prohibited.**

Unless the Department has approved an exception under s. NR 436.03(2), no person may cause, allow, or permit emissions of any air contaminant into the ambient air in excess of the limits set in chs. NR 400 to 499, Wis. Adm. Code. [s. NR 436.03(1), Wis. Adm. Code]

**C. General Emission Limits.****C.1. Applicable to Insignificant Emissions Units.**

The following general emission limitations may apply to one or more of the insignificant emission units identified in the preamble of this permit. It is the permittee's responsibility to comply with these requirements, if they do apply. Insignificant emission units typically are associated with inconsequential environmental impacts and present little potential for violations of these generally applicable requirements. If there were no observed, documented or known instances of noncompliance, certification of compliance is appropriate. Testing or monitoring to assure compliance is not required by this permit.

- C.1.a. Section NR 415.05, Wis. Adm. Code - Particulate emission limits for processes;
- C.1.b. Section NR 415.06, Wis. Adm. Code - Particulate emission limits for fuel burning installations;
- C.1.c. Section NR 415.07, Wis. Adm. Code - Particulate emission limits for incinerators;
- C.1.d. Section NR 423.03, Wis. Adm. Code - Solvent metal cleaning;
- C.1.e. Section NR 485.05, Wis. Adm. Code - Visible emission limits for motor vehicles, internal combustion engines and mobile sources; and
- C.1.f. Section NR 485.055, Wis. Adm. Code - Particulate emission limit for gasoline and diesel internal combustion engines.

**C.2. Applicable to Significant and Insignificant Emissions Units.**

The following general emission limitations may apply to both significant and insignificant emission units. It is the permittee's responsibility to comply with these requirements, if they apply. Testing or monitoring to assure compliance with these general emission limits is not required by this permit.

For each significant emission unit, if a more specific emission limit is included in Part I of this permit for any of the pollutants listed below, then compliance with that more specific limit will constitute compliance with the general emission limit.

For insignificant emission units, if there were no observed, documented or known instances of non-compliance, certification of compliance is appropriate.

- C.2.a. No person may cause, allow, or permit particulate matter to be emitted into the ambient air which substantially contributes to exceeding of an air standard, or creates air pollution. [s. NR 415.03, Wis. Adm. Code]
- C.2.b. No person may cause, allow, or permit any materials to be handled, transported, or stored without taking precautions to prevent

particulate matter from becoming airborne. Nor may a person allow a structure, a parking lot, or a road to be used, constructed, altered, repaired, sand blasted or demolished without taking such precautions. Such precautions shall include, but not be limited to the following [s. NR 415.04, Wis. Adm. Code]:

- C.2.b.(1) Use, where possible, of water or chemicals for control of dust in the demolition of existing buildings or structures, or construction operations.
- C.2.b.(2) Application of asphalt, oil, water, suitable chemicals, or plastic covering on dirt roads, material stockpiles, and other surfaces which can create airborne dust, provided such application does not create a hydrocarbon, odor, or water pollution problem.
- C.2.b.(3) Installation and use of hoods, fans and air cleaning devices to enclose and vent the areas where dusty materials are handled.
- C.2.b.(4) Covering or securing of materials likely to become airborne while being moved on public roads, railroads, or navigable waters.
- C.2.b.(5) Conduct of agricultural practices such as tilling of land or application of fertilizers in such manner as not to create air pollution.
- C.2.b.(6) The paving or maintenance of roadway areas so as not to create air pollution.
- C.2.c. No person may cause, allow or permit emission of sulfur or sulfur compounds into the ambient air which substantially contribute to the exceeding of an air standard or cause air pollution. [s. NR 417.03, Wis. Adm. Code]
- C.2.d. No person may cause, allow or permit organic compound emissions into the ambient air which substantially contribute to the exceeding of an air standard or cause air pollution. No person may cause, allow or permit organic compounds to be used or handled without using good operating practices and taking reasonable precautions to prevent the spillage, escape or emission of organic compounds, solvents or mixtures. [s. NR 419.03, Wis. Adm. Code]
- C.2.e. No person may cause, allow or permit the disposal of more than 5.7 liters (1.5 gallons) of any liquid Volatile Organic Compound (VOC) waste, or of any liquid, semisolid or solid waste materials containing more than 5.7 liters (1.5 gallons) of any VOC, in any one day from a facility in a manner that would permit their evaporation into the ambient air during the ozone season. This includes, but is not limited to, the disposal of VOC which must be removed from VOC control devices so as to maintain the control devices at their required operating efficiency. Disposal during the ozone season shall be by methods approved by the Department, such as incineration, recovery for reuse, or transfer in closed containers to an acceptable disposal facility, such that the quantity of VOC which evaporates into the ambient air does not exceed 15% (by weight) or 5.7 liters (1.5 gallons) in any one day, whichever is larger. [s. NR 419.04, Wis. Adm. Code]
- C.2.f. No person may cause, allow or permit emissions of carbon monoxide to the ambient air which substantially contribute to the exceeding of an air standard or cause air pollution. [s. NR 426.03, Wis. Adm. Code].
- C.2.g. No person may cause, allow or permit emissions into the ambient air of lead or lead compounds which substantially contribute to the exceeding of an air standard or air increment, or which create air pollution. [s. NR 427.025, Wis. Adm. Code]
- C.2.h. No person may cause, allow, or permit nitrogen oxides or

- nitrogen compounds to be emitted to the ambient air which substantially contribute to the exceeding of an air standard or cause air pollution. [s. NR 428.03, Wis. Adm. Code]
- C.2.i. No person may cause, allow or permit emission into the ambient air of any substance or combination of substances in such quantities that an objectionable odor is determined to result unless preventive measures satisfactory to the Department are taken to abate or control such emission. [s. NR 429.03(1), Wis. Adm. Code]
- C.2.j. Open burning is prohibited except as provided in s. NR 429.04, Wis. Adm. Code. [s. NR 429.04, Wis. Adm. Code]
- C.2.k. [Note: Under the Wisconsin Recycling Law, small businesses, commercial enterprises, and industries may not use burn barrels or engage in other kinds of open burning and may not be granted burning permits by municipalities. However, the prohibition on burn barrels does not apply to small businesses in which the owners reside at the same location and cannot separate their business waste from their household waste.]
- C.2.l. No person may cause, allow or permit emissions into the ambient air from any direct or portable source in excess of one of the limits specified in ch. NR 431, Wis. Adm. Code. Where the presence of uncombined water is the only reason for failure to meet the requirements of ch. NR 431, Wis. Adm. Code, such failure is not a violation of the chapter. [s. NR 431.03, Wis. Adm. Code]
- C.2.m. When the Department requires instrumentation to monitor the operation of air pollution control equipment, or to monitor source performance, the instrument shall measure operational variables with the following accuracy: [ss. NR 439.055(3) and NR 407.09(1)(c)1.c., Wis. Adm. Code]
- C.2.m.(1) The temperature monitoring device shall have an accuracy of 0.5% of the temperature being measured in degrees Fahrenheit or  $\pm 5^{\circ}\text{F}$  of the temperature being measured, or the equivalent in degrees Celsius (centigrade), whichever is greater.
- C.2.m.(2) The pressure drop monitoring device shall be accurate to within 5% of the pressure drop being measured or within  $\pm 1$  inch of water column, whichever is greater.
- C.2.m.(3) The current, voltage, flow or pH monitoring device shall be accurate to within 5% of the specific variable being measured.
- C.2.n. All instruments used for measuring source or air pollution control equipment operational variables shall be calibrated yearly or at a frequency based on good engineering practice as established by operational history, whichever is more frequent. [ss. NR 439.055(4) and NR 407.09(1)(c)1.c., Wis. Adm. Code]
- C.2.o. No person may cause, allow, or permit emissions into the ambient air of any hazardous substance in such quantity, concentration, or duration as to be injurious to human health, plant or animal life unless the purpose of that emission is for the control of plant or animal life. Hazardous substances include, but are not limited to, hazardous air contaminants listed in Tables A to C of s. NR 445.07, Wis. Adm. Code. [s. NR 445.03, Wis. Adm. Code]
- C.2.p. Chapter NR 447, Wis. Adm. Code, applies to all air contaminant sources which may emit asbestos, to their owners and operators and to any person whose action causes the emission of asbestos to the ambient air, including demolition and renovation activities. Chapter NR 447, Wis. Adm. Code, establishes emission limitations for asbestos air contaminant sources, establishes procedures to be followed when working with asbestos materials and contains additional reporting and record keeping requirements for owners or operators of asbestos air contaminant sources in order to protect air quality. [ch. NR 447, Wis. Adm. Code]
- C.2.q. Accidental Release Prevention Requirements.
- C.2.r. An owner or operator of a stationary source that has more than a threshold quantity of a regulated substance in a process, as determined under 40 CFR 68.115, shall comply with the requirements of 40 CFR Part 68, no later than the latest of the following dates:
- C.2.r.(1) June 21, 1999;
- C.2.r.(2) Three years after the date on which a regulated substance is first listed under 40 CFR 68.130; or
- C.2.r.(3) The date on which a regulated substance is first present above a threshold quantity in a process.
- [40 CFR Part 68.10]
- D. Reporting Requirements.**
- D.1. The Department shall be notified of the events in Table 1.:

**Table D1.**

Event	Timing
D.1.a. Hazardous substance air spill.	Immediate call: 1-800-943-0003
D.1.b. Malfunction or other unscheduled event which causes or may cause any emission limitation to be exceeded (except certain visible emissions limit exceedences detected by a continuous emission monitor, see s. NR 439.03(4)(a)2., Wis. Adm. Code.).	Notification by next business day of any such event at the source which is not reported in advance to the Department. Report the cause and duration of the exceedence, the period of time considered necessary for correction, and measures taken to minimize emissions during the period.
D.1.c. Deviation from any other condition specified in this permit.	Notification by next business day identifying the deviation, cause, duration and steps taken to prevent recurrence.

[ss. 285.65(10) and 292.11(2), Wis. Stats., and s. NR 439.03(4), Wis. Adm. Code]

- D.2. Persons possessing or controlling a hazardous substance shall immediately notify the Department of any hazardous emission not in conformity with a permit or allowed by the Department under
- chs. NR 400 to 499. Notice shall be given as required by s. 292.11, Stats., and ch. NR 706.

**Table D2.**

Event	Timing
D.2.a. Hazardous substance air spill	Immediate call: 1-800-943-0003

[s. 292.11(2), Wis. Stats., and s. NR 445.16, Wis. Adm. Code]

- D.3. The permittee shall report to the Department, in advance, schedules for planned shutdown and startup of air pollution control equipment and the measures to be taken to minimize the down time of the control equipment while the source is operating. Scheduled maintenance or any other scheduled event, including startup, shutdown or soot blowing procedures which have been approved by the Department under s. NR 436.03(2)(b), which causes an emission limit to be exceeded shall also be reported in advance to the Department. Advance reporting pursuant to this permit condition does not relieve any person from the duty to comply with any applicable emission limitations. Emissions in excess of the limits set in chs. NR 400-499, Wis. Adm. Code, may be allowed when the emissions are temporary and due to scheduled maintenance, startup or shutdown of operations carried out in accord with a plan and schedule approved by the Department. [s. NR 436.03(2)(b) and NR 439.03(6), Wis. Adm. Code]
- D.4. The permittee shall furnish to the Department, within a reasonable time specified by the Department, any information that the Department may request in writing to determine whether cause exists to revise, revoke or suspend this permit or to determine compliance with this permit. Upon request, the permittee shall also furnish to the Department copies of records required to be kept pursuant to this permit. [s. NR 407.09(1)(f)5., Wis. Adm. Code]
- D.5. The permittee shall submit the results of monitoring required by the permit to the Department according to the schedule established in Part I of this permit. Any such report shall clearly identify all instances of deviations from permit requirements. All such reports shall be signed by the responsible official for the source. [s. 285.17(2), Wis. Stats., and s. NR 439.03(1)(b), Wis. Adm. Code]
- D.6. Each report required under s. NR 439.03, Wis. Adm. Code, shall be certified by a responsible official as to its truth, accuracy and completeness. This certification and any other certification required under ch. NR 439 shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate and complete. [s. NR 439.03(10), Wis. Adm. Code]
- D.7. Except for information determined to be confidential under s. 285.70(2), Wis. Stats., any information or reports obtained by the Department in the administration of ss. 285.01 to 285.87 and 299.15, Wis. Stats., will be available for public inspection at the offices of the Department. [s. 285.70(1), Wis. Stats.]
- D.8. All certifications made under s. NR 439.03, Wis. Adm. Code, and all material statements and representations made in any report or notice required by this operation permit shall be truthful. [s. NR 439.03(11), Wis. Adm. Code]
- D.9. Any document required under this permit and submitted to the Department, including reports, shall contain a certification by a responsible official that meets the requirements of s. NR 407.05(4)(j), Wis. Adm. Code. [s. NR 407.09(4)(a)1., Wis. Adm. Code]
- D.10. For ch. NR 408, Wis. Adm. Code, (non-attainment area) major sources, the records required under s. NR 408.10(5)(a), Wis. Adm. Code.
- D.11. Copies of all records and reports required under this permit shall be retained by the permittee for a period of 5 years except for records required to be maintained or reports required to be submitted under ss. NR 405.16(3) or NR 408.10(5), Wis. Adm. Code. Records and reports required under ss. NR 405.16(3) or NR 408.10(5), Wis. Adm. Code, shall be maintained for a minimum of 10 years. [s. NR 439.04(2), Wis. Adm. Code]
- D.12. For ch. NR 405, Wis. Adm. Code, (PSD) major sources, the records required under s. NR 405.16(3)(a), Wis. Adm. Code.

### **E. Right of Entry and Inspection.**

The permittee shall allow authorized representatives of the Department to enter upon the permittee's premises, to have access to and examine any record relating to emissions or required to be kept, and to make any inspection necessary to ascertain compliance with air pollution control laws and the terms of this permit. The Department may, for the purpose of determining a source's compliance with applicable requirements, sample or monitor at reasonable times production materials or other substances or operational parameters. [ss. 285.13 and 285.19, Wis. Stats., and s. NR 439.05, Wis. Adm. Code]

### **F. Malfunction Prevention and Abatement Plans.**

The owner or operator of any direct or portable source which may emit hazardous substances or emits more than 15 pounds in any day or 3 pounds in any hour of any air contaminant for which emission limits have been adopted shall prepare a written malfunction prevention and abatement plan to prevent, detect, and correct malfunctions or equipment failures which may cause any applicable emission limitation to be violated or which may cause air pollution. Any such plan shall be carried out by the owner or operator. The plan shall be updated at least every 5 years. The Department may require the plan to be submitted for review and approval. [s. NR 439.11, Wis. Adm. Code]

### **G. Emission Control Action Plan.**

For source(s) covered by this permit which emit 0.25 tons or more per day of any air contaminant for which air standards have been adopted, the permittee shall prepare an emission control action program, consistent with good industrial practice and safe operating procedures, for reducing the emission of air contaminants into the outdoor atmosphere during periods of an air pollution alert, air pollution warning or air pollution emergency declared under s. NR 493.03(2), Wis. Adm. Code. The emission control action program shall be in writing, available on the premises and is subject to review and approval by the Department on request. [s. NR 493.04, Wis. Adm. Code]

### **H. Change in Ownership or Control.**

In the event of a change in ownership or operational control of a source, the permittee shall file a written request for an administrative permit revision in accordance with s. NR 407.11, Wis. Adm. Code. The request should include a written agreement between the current and new owner or operator which sets forth a specific date for transfer of permit responsibility, coverage and liability. If the Department determines that no other change in this permit is necessary, this permit may be revised according to the administrative revision procedures in s. NR 407.11, Wis. Adm. Code. [s. NR 407.11(3)(a), Wis. Adm. Code]

### **I. Permit Flexibility, Revision, Suspension, and Revocation.**

- I.1. Changes to the source which are not modifications and changes in permit content are regulated under the permit flexibility provisions of s. 285.60(4), Wis. Stats., and s. NR 407.025, Wis. Adm. Code, and the permit revision provisions in ss. NR 407.11, NR 407.12, NR 407.13, NR 407.14, and NR 407.16, Wis. Adm. Code.
- I.2. An operation permit may be suspended or revoked, in whole or in part, for cause. [ss. NR 407.09(1)(f)3. and NR 407.15, Wis. Adm. Code.]

### **J. Construction, Reconstruction, Replacement, Relocation or Modification.**

- J.1. Unless the replacement is authorized by a permit or is exempt under s. NR 406.04, Wis. Adm. Code, replacement of the source(s) covered by this permit is prohibited. [s. 285.60(1)(a), Wis. Stats.]

J.2. No person may commence construction, reconstruction, replacement, relocation or modification of a stationary source unless the person has a construction permit for the source or unless the source is exempt from the requirement to obtain a permit under s. 285.60(5), Wis. Stats., or under ch. NR 406, Wis. Adm. Code. Applications for the construction permit shall be submitted on forms which are available from the Department at its Madison headquarters and district offices. [s. 285.60(1)(a), Wis. Stats.]

Note: The address of the Madison headquarters is: Wisconsin Department of Natural Resources, Bureau of Air Management, PO Box 7921, Madison, WI 53707. Attention: Permit Application Forms.

J.3. For new or modified sources for which no construction permit is required, the application for an operation permit shall be filed before the source commences construction or modification. [s. NR 407.04, Wis. Adm. Code]

#### K. Circumvention.

K.1. The installation or use of any article, machine, equipment, process, or method which conceals an emission which would otherwise constitute a violation of an applicable rule is prohibited unless written approval has been obtained from the Department. Such concealment includes, but is not limited to, the use of gaseous diluents to achieve compliance and the unnecessary separation of an operation into parts to avoid coverage by a rule that applies only to operations larger than a specified size. [s. NR 439.10, Wis. Adm. Code]

K.2. No one may render inaccurate any monitoring device or method required under ch. NR 439, Wis. Adm. Code, or in this permit. [s. NR 439.03(12), Wis. Adm. Code]

K.3. No person may knowingly falsify, tamper with, render inaccurate or fail to install any monitoring device or method required to be maintained or followed under the Clean Air Act. [Clean Air Act s. 113(c)(2)(C); 42 USC 7413(c)(2)(C), s. 285.65(13), Wis. Stats.]

#### L. Civil/Criminal Liability.

L.1. Nothing in this permit shall be construed to relieve the permit holder from civil and/or criminal penalties under ss. 285.87 and 299.15, Wis. Stats., for violation of the terms or conditions of this permit, or for violation of ss. 285.01 to 285.87, 292.11(2) and 299.15, Wis. Stats., or of any rule or any special order issued under those sections except where the operation permit shield provisions of s. 285.62(10)(b), Wis. Stats., are applicable. [s. 285.62(10)(b), Wis. Stats.]

L.2. The permittee has the duty to comply with all conditions of the permit. Any noncompliance with this permit constitutes a violation of the Wisconsin statutes, the federal clean air act, or both, and is grounds for enforcement action; for permit suspension, revocation or revision; or, if allowed under s. 285.62(6), Wis. Stats., for denial of a permit renewal application. [ss. NR 407.14, NR 407.15, and NR 407.09(1)(f)1., Wis. Adm. Code, s. 285.60(7), Wis. Stats. and 42 USC 7661a]

L.3. The following items are provided per s. NR 407.09(1)(d) and (f), Wis. Adm. Code:

L.3.a. It is not a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with this permit. [s. NR 407.09(1)(f)2., Wis. Adm. Code]

L.3.b. The filing of a request by the permittee for a permit revision or revocation, or the filing of a notification of planned changes under s. NR 407.025, Wis. Adm. Code, or of anticipated noncompliance, does not stay any permit condition. [s. NR 407.09(1)(f)3., Wis. Adm. Code]

L.3.c. The issuance of this permit does not convey any property rights of

any sort, or any exclusive privilege, nor does it authorize any injury to private property or any invasion of personal rights. [s. NR 407.09(1)(f)4., Wis. Adm. Code]

L.3.d. The provisions of this permit are severable. In the event of a successful challenge to any portion of the permit, all other portions of the permit remain valid and effective. [s. NR 407.09(1)(d), Wis. Adm. Code]

#### M. Recordkeeping Requirements.

M.1. The permittee shall maintain the following records, per s. NR 439.04, Wis. Adm. Code:

M.1.a. Records of all sampling, testing and monitoring conducted or required under chs. NR 400 to 499 or under this permit. Records of sampling, testing or monitoring shall include the following:

M.1.a.(1) The date, monitoring site and time and duration of sampling, testing, monitoring or measurements.

M.1.a.(2) The dates the analyses were performed.

M.1.a.(3) The company or entity that performed the analysis.

M.1.a.(4) The analytical techniques or methods used, including supporting information such as calibration and maintenance records of all original recording charts for continuous monitoring instrumentation including emissions or equipment monitors.

M.1.a.(5) The results of the analyses.

M.1.a.(6) The relevant operating conditions that existed at the time of sampling, testing, monitoring or measurement.

M.1.b. Records detailing all malfunctions which cause any applicable emission limitation to be exceeded, including logs to document the implementation of the plan required under s. NR 439.11, Wis. Adm. Code;

M.1.c. Records detailing all activities specified in any compliance schedule approved by the Department under chs. NR 400 to 499, Wis. Adm. Code; and

M.1.d. Any other records relating to the emission of air contaminants which may be requested in writing by the Department.

M.2. The owner or operator of a source constructed or last modified prior to July 1, 2004, with non-exempt, potential to emit emissions of a hazardous air contaminant less than or equal to the applicable threshold in column (c), (d), (e), or (f) of Table A, B or C of s. NR 445.07 shall maintain records in accordance with s. NR 439.04(1) and (2) starting no later than June 30, 2007. [s. NR 445.08(6)(b), Wis. Adm. Code]

M.2.a. The records shall list the hazardous air contaminants in Tables A, B, and C of s. NR 445.07 the source is capable of emitting. In addition to meeting the recordkeeping requirements of s. NR 439.04(1) and (2), an owner or operator shall:

M.2.a.(1) Keep records of maintenance performed on any particulate matter emission control device used to comply with s. NR 445.09(3).

M.2.a.(2) For any engine that stays or that is intended to stay in a single location for any 12 consecutive month period, keep the following records:

M.2.a.(2)1. The amount fuel oil combusted on a monthly basis for any engine not using a certified control device.

M.2.a.(2)2. The power rating and days of operation of any CI engine used to substitute power under s. NR 445.09(1)(d).

M.2.a.(2)3. The cost of rebuilding any CI engine on a monthly basis. [s. NR 445.09(6), Wis. Adm. Code]

- M.2.b. Keep records of actions taken to control outdoor fugitive coal dust emissions in accordance with s. NR 439.04(2). [s. NR 445.10(2)(c), Wis. Adm. Code]
- M.2.c. Keep a copy of the plan and records of all actions taken at the facility for inspection upon request. [s. NR 445.10(2)(c), Wis. Adm. Code]
- M.3. Owners and operators of facilities required to file emission inventory reports shall keep accurate and reliable records sufficient to enable verification of the reports by the Department. [s. NR 438.03(4), Wis. Adm. Code]
- M.4. Copies of all records and reports required under this permit shall be retained by the permittee for a period of 5 years. [s. NR 439.04(2), Wis. Adm. Code]
- M.5. For ch. NR 405, Wis. Adm. Code, (PSD) major sources, the permittee shall report to the Department as required under s. NR 405.16(3), Wis. Adm. Code.
- M.6. For ch. NR 408, Wis. Adm. Code, (non-attainment area) major sources, the permittee shall report to the Department as required under s. NR 408.10(5), Wis. Adm. Code.
- M.7. Except for information determined to be confidential under s. 285.70(2), Wis. Stats., any information or reports obtained by the Department in the administration of ss. 285.01 to 285.87 and 299.15, Wis. Stats., will be available for public inspection at the offices of the Department. [s. 285.70(1), Wis. Stats.]

#### N. Compliance Certification.

- N.1. The permittee shall submit compliance certifications to the Department, and part 70 sources shall also submit this compliance certification to the United States Environmental Protection Agency. [s. NR 439.03(1)(c) and (9), Wis. Adm. Code]
- N.2. The certification shall be submitted according to the schedule established in Part I of the permit. [s. NR 439.03(1)(c), Wis. Adm. Code]
- N.3. The certification shall include the following:
- N.3.a. Identification of each permit term or condition that is the basis of the certification;
- N.3.b. The compliance status of the source with respect to each term or condition identified in N.1.b.(1);
- N.3.c. Whether compliance was continuous or intermittent;
- N.3.d. Method(s) used for determining the compliance status, currently and over the previous 12 month period;
- N.3.e. Compliance status with respect to 40 CFR 68 (Accidental Release Prevention) including registration and submission of the risk management plan, as specified in 40 CFR 68.160 and 68.150, respectively, if applicable;
- N.3.f. Other information required to determine the compliance status of the source, as specified in this permit. [s. NR 439.03(8), Wis. Adm. Code]
- N.4. Compliance certifications shall be signed by a responsible official of the source. The responsible official shall certify that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete. [s. NR 439.03(10), Wis. Adm. Code]

#### O. Required Air Emission Inventory Reports.

The permittee shall annually submit to the Department an emission inventory report of annual, actual emissions or throughput information in accordance with ch. NR 438, Wis. Adm. Code. [s. NR 438.03, Wis. Adm. Code]

#### P. Annual Emission Fees.

The permittee shall pay an annual emissions fee to the Department at the rate specified in s. 285.69(2), Wis. Stats. [ss. NR 410.04 and NR 407.09(1)(e), Wis. Adm. Code]

#### Q. General Provisions for Hazardous Air Pollutant MACT Standards.

The general provisions in ch. NR 460, Wis. Adm. Code, apply to any permittee that is affected or becomes affected by a standard promulgated by EPA under section 112 of the act (42 USC 7412). [s. NR 460.01, Wis. Adm. Code]

#### R. Stratospheric Ozone Protection.

R.1. Federal Requirements. (Call 1-800-296-1996 for information)

R.1.a. The permittee shall comply with the standards for labeling of products using ozone-depleting substances pursuant to 40 CFR Part 82, Subpart E:

R.1.a.(1) All containers in which a class I or class II substance is stored or transported, all products containing a class I substance and all products directly manufactured with a class I substance must bear the required warning statement if it is being introduced into interstate commerce pursuant to section 82.106.

R.1.a.(2) The placement of the required warning statement must comply with the requirements pursuant to section 82.108.

R.1.a.(3) The form of the label bearing the required warning statement must comply with the requirements pursuant to section 82.110.

R.1.a.(4) No person may modify, remove or interfere with the required warning statement except as described in section 82.112.

R.1.b. The permittee shall comply with the standards for recycling and emissions reduction pursuant to 40 CFR Part 82, Subpart F, except as provided for Motor Vehicle Air Conditioners (MVACs) in 40 CFR Part 82, Subpart B:

R.1.b.(1) Persons opening appliances for maintenance, service, repair or disposal must comply with the required practices pursuant to section 82.156.

R.1.b.(2) Equipment used during the maintenance, service, repair or disposal of appliances must comply with the standards for recycling and recovery equipment pursuant to section 82.158.

R.1.b.(3) Persons performing maintenance, service, repair or disposal of appliances must be certified by an approved technician certification program pursuant to section 82.161.

R.1.b.(4) Persons disposing of small appliances, MVACs, and MVAC-like appliances must comply with recordkeeping requirements pursuant to section 82.166 (the term, "MVAC-like appliance", is defined in section 82.152).

R.1.b.(5) Persons owning commercial or industrial process refrigeration equipment must comply with the leak repair requirements pursuant to section 82.156.

R.1.b.(6) Owners/operators of appliances normally containing 50 or more pounds of refrigerant must keep records of refrigerant purchased and added to such appliances pursuant to section 82.166.

R.1.c. If the permittee manufactures, transforms, imports or exports a class I or class II substance, the permittee is subject to all the requirements as specified in 40 CFR part 82, Subpart A, Production and Consumption Controls.

R.1.d. If the permittee performs a service on motor (fleet) vehicles when this service involves ozone-depleting substance refrigerant in the motor vehicle air conditioner (MVAC), the permittee is subject to all the applicable requirements as specified in 40 CFR part 82,

Subpart B, Servicing of Motor Vehicle Air Conditioners. The term “motor vehicle” as used in Subpart B does not include a vehicle in which final assembly of the vehicle has not been completed. The term “MVAC” as used in Subpart B does not include the air-tight sealed refrigeration system used as refrigerated cargo or system used on passenger buses using HCFC-22 refrigerant.

of refrigerant recovery efforts. This certification shall be submitted annually, along with a description of the safe transport methods to be used, and the fees required under s. NR 488.11, Wis. Adm. Code. [s. NR 488.10, Wis. Adm. Code]

- R.1.e. The permittee may be allowed to switch from any ozone-depleting substance to any alternative that is listed in the Significant New Alternatives Program (SNAP) promulgated pursuant to 40 CFR part 82, Subpart G, Significant New Alternatives Policy Program.

[s. 285.65(12), Wis. Stats.]

- R.2. State Requirements. (Call 1-608-264-6049 for information)

- R.2.a. During the salvaging, dismantling or transporting of refrigeration equipment, no person may knowingly or negligently release ozone-depleting refrigerant to the environment, except for minimal releases that occur as a result of efforts to transfer ozone-depleting refrigerant into storage tanks. [s. 285.59(4)(a), Wis. Stats.]

- R.2.b. No person may knowingly or negligently release from a storage tank to the environment ozone-depleting refrigerant that was removed during the salvaging, dismantling or transporting of refrigeration equipment, except for minimal releases that occur as a result of efforts to transfer ozone-depleting refrigerant into refrigeration equipment or other storage tanks. [s. 285.59(4)(am), Wis. Stats.]

- R.2.c. No person may salvage or dismantle any refrigeration equipment unless:

- R.2.c.(1) That person holds and prominently displays an annual registration of certification obtained from the Department under s. NR 488.04, Wis. Adm. Code;

- R.2.c.(2) That person uses refrigerant recovery equipment approved by the Department under s. NR 488.07, Wis. Adm. Code, to transfer remaining ozone-depleting refrigerant from each piece of refrigeration equipment into storage tanks; and

- R.2.c.(3) Individuals who use the approved refrigerant recovery equipment have, or are working under the direct supervision of individuals who have, the qualifications required under s. NR 488.08, Wis. Adm. Code. [s. NR 488.03(3), Wis. Adm. Code]

- R.2.d. Any person who sells, gives or transports refrigeration equipment to a scrap metal processor shall:

- R.2.d.(1) Transfer ozone-depleting refrigerant from the refrigeration equipment into a storage tank using approved refrigerant recovery equipment or obtain and possess documentation that another person performed the transfer; and

- R.2.d.(2) Provide documentation to the scrap metal processor that he or she has complied with R.2.d.(1).

Note: Sample forms for the documentation of compliance with R.2.d.(1) are available from the Bureau of Air Management CFC Program.

Exemption: R.2.d.(1) and R.2.d.(2) do not apply to a person who sells, gives or transports refrigeration equipment to a scrap metal processor when that processor has agreed in writing to transfer the ozone-depleting refrigerant into a storage tank using approved refrigerant recovery equipment and that the processor is registered with the Department under s. NR 488.04. [s. NR 488.05, Wis. Adm. Code]

- R.2.e. Any person who transports, for the purposes of salvaging or dismantling, refrigeration equipment that contains ozone-depleting refrigerant shall certify to the Department that person will not knowingly or negligently release ozone-depleting refrigerant to the environment, except for minimal releases that occur as a result